

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

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| JEFF McCAULEY, Plaintiff, v. OCWEN FEDERAL BANK, FSB; LASALLE NATIONAL BANK AS TRUSTEE, ITS SUCCESSORS AND ASSIGNS, Defendants. | Civil No. 09-3183 (JRT/JSM) <u>AFFIDAVIT OF</u> <u>GARY K. LULOFF</u> |
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STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

Gary K. Luloff, being first duly sworn upon oath, states as follows:

1. That I am one of the attorneys for Defendants in the above-captioned action and licensed to practice law before this Court.
2. That attached hereto as Exhibit A are true and correct copies of Forbearance Agreements between Plaintiff Jeff McCauley and the Federal Department of Housing and Urban Development (HUD) dated from 1994 through 1996.

3. That attached as Exhibit B is a true and correct copy of the Sheriff's Certificate of Sale and Foreclosure Record for the property at issue in the above-captioned action.

4. That attached as Exhibit C is a true and correct copy of correspondence between the law firm of Wilford & Geske and the Washington County Sheriff related to the posting of the Writ of Recovery of Premises and Order to Vacate.

5. That attached as Exhibit D is a true and correct copy of the unpublished decision from the District Court for the District of Minnesota, *Mayer v. Countryside Home Loans*, 2008 W.L. 4527800 (D. Minn. 2008).

6. That attached as Exhibit E is a true and correct copy of an unpublished decision from the District Court for the District of Minnesota, *Versacold USA, Inc. v. Inland American Brooklyn Park, et al.*, 2009 W.L. 3617544 (D. Minn. 2009).

Further affiant saith naught.

Dated: November 23, 2009

/s/ Gary K. Luloff

Gary K. Luloff

Subscribed and sworn to before me
this 23rd day of November, 2009.

/s/ Dawn J. Proulx

Notary Public